

REMARKS

The Examiner has objected to claim 21. With respect to claim 21, the Examiner states that this claim “does not indicate that the method for conducting speech therapy is a computer implemented method or system (as the specification teaches).” Applicants respectfully do not agree with the objection.

Applicants again respectfully reassert to the Examiner that it is not the function of the claims to teach how to practice the invention – but, under 35 U.S.C. 112, second paragraph, to point out and distinctly claim “the subject matter *which applicant regards as his invention*” (emphasis added). As such, applicants are not required to make this requested change. In addition, claim 21 has clear support in the specification, e.g., see FIG. 3 of applicants’ specification.

Claims 1 – 8 and 10 – 33 have been rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,562,453 issued October 8, 1996 to Wen (the Wen reference) in view of JP 409122106A published May 13, 1997 by Nojima (the Nojima reference) and U.S. Patent No. 5,357,596 issued October 18, 1994 to Takebayashi et al. (the Takebayashi reference). Applicants respectfully disagree for any one of a number of reasons and will use applicants’ claim 1 as an illustration.

Before proceeding with the substantive response, applicants note that the Examiner was kind enough to provide European Patent Application EP101311 A1 as an “English Equivalent Document” of JP 409122106A. For the purpose of this response, applicants will treat EP101311 as the English Equivalent of JP 409122106A. However, applicants note a discrepancy between the two documents. First, JP 409122106A was filed November 6, 1995. This provides a “right of priority” date for filing a subsequent foreign patent application. In other words, a subsequent foreign patent application based on JP 409122106A must be filed by November 6, 1996. Applicants note that EP101311 A1 was filed on April 25, 1997— well after November 6, 1996. As such, on its face, it is not clear if EP101311 A1 is a true English Language equivalent and applicants reserve the right, if necessary, to subsequently dispute this point.

Turning now to the substantive response, applicants again respectfully note that for the Examiner to support a rejection under either 35 U.S.C. 103, a combination of references must describe ALL of the claim requirements. Applicants respectfully submit that the Examiner’s arguments fail on this point.

For example, applicants' claim 1 requires SIX steps. Let's look at the step of "generating speech prompts for information describing each of the plurality of aspects of the picture" (claim 1, lines 4 – 5, emphasis added). The Examiner notes that the Wen reference describes "generating a speech prompt." Let's assume this is the same as applicants' claimed "generating speech prompts." However, the remainder of the requirements of this step, i.e., "for information describing each of the plurality of aspects of the picture" is not found in the Wen reference (emphasis added).

In order to meet this requirement, the Examiner alleges that the Nojima reference teaches "presenting a cartoon (a plurality of pictures or aspects) to a user ... prompting the user to provide a description of the contents of the picture ... wherein the description of the aspects is in a sentence structure and determining if the user provided description accurately describes the picture."

Applicants agree this is correct – to a degree – but glosses over some important points in the Nojima reference. Let's assume for the sake of argument that the term "picture" corresponds to a "frame" – as the latter term is used in the Nojima reference. Further, let's assume, for the sake of argument, that each "frame" (or picture) in the Nojima reference comprises a plurality of aspects (contents). Hence, in the Nojima reference a cartoon comprises a plurality of frames, each frame comprising a plurality of aspects. Indeed, as described in the Nojima reference, each cartoon is 4 to 6 frames. As such, and as described in the Nojima reference, the user provides a description of the entire cartoon over the 4 to 6 frames before any analysis of the user's speech is performed. Further, the user is prompted to describe the entire cartoon – not aspects of each frame of the cartoon. In fact, **nowhere** does the Nojima reference describe prompting the user "*for information describing each of the plurality of aspects of the picture*" as required by applicants' claim 1 (emphasis added).

If this requirement is not described, or suggested, by the Nojima reference, applicants respectfully submit that the combination of the Nojima reference and the Wen reference cannot provide this missing requirement.

It is noted that the Examiner points to page 5, lines 33 – 63, of EP101322 A1. But this section merely states the "cartoon" is presented to the user, i.e., the 4 to 6 frames. The user then describes every frame of the "cartoon" (EP101322 A1, page 5, lines 34 – 35). There is no focus on particular aspects of each frame. Therefore, EP101322 does not

describe, as the Examiner alleges, prompting the user to provide a description of the contents (aspects) of the picture (frame) as required by applicants' claim 1.

As another example, applicants' claim 1 requires "generating a prompt to use each of the plurality of aspects in a sentence if the user-identification of each of the plurality of aspects accurately describes the plurality of aspects" (claim 1, lines 14 – 16, emphasis added). **None** of the references describe, or suggest, singly or in combination, these requirements of applicants' claim 1.

Applicants' note that the Examiner states that the Nojima reference describes "prompting the user to provide a description of the contents of the picture ... wherein the description of the aspects is in a sentence structure and determining if the user provided description accurately describes the picture. *But this does not meet applicants' claimed requirements.*

Applicants' claim 1 requires the user to

- (a) describe each of the plurality of aspects of the picture,
- (b) check the accuracy of the user's description of each aspect, **then**
- (c) prompt the user for a sentence using the plurality of aspects.

The Examiner's characterization of the Nojima reference is simply for the user to provide a sentence describing the cartoon and determining from the sentence if the user accurately described the cartoon – this is not even close to describing each aspect of the plurality of aspects, checking the accuracy of the description of each aspect and then prompting the user for a sentence as required by applicants' claim 1.

Further, the Examiner asserts, it would have been obvious to "modify the system of Wen to implement displaying of a plurality of pictures or aspects, prompting a user to provide a description of a plurality of aspects in a display in a sentence structure, and determining if the user provided description accurately describes the aspects as taught by Nojima for the purpose of judging the health of recognition and understanding of a subject, as suggested by Nojima" (emphasis added).

However, applicants respectfully submit that even if one were inclined to combine the Nojima reference with the Wen reference for the purpose of judging recognition and understanding – this has nothing to do with applicants' inventive concept. Why?, Because, applicants' invention is **concerned with speed therapy** (applicants' specification, page 1, lines 29 – 30) — and is not concerned with the "recognition and understanding of a subject"

as addressed by the Nojima reference. (In fact, nowhere does applicants' specification describe a concern about the user being able to recognize and understand what is presented to them – the concern is with how the user speaks.)

Applicants' respectfully point out to the Examiner that the Nojima reference has nothing to do with speech therapy. Indeed, the Nojima reference **presumes each user speaks well** since the Nojima reference presents a system that attempts to measure if the user understands the cartoon (EP101311, page 5, lines 55 et seq.).

Similar comments exist with respect to applicants' independent claims 12 and 21 (e.g., see claim 12, lines 13 – 14, 15 – 16, 20 – 22 and 24 – 26; claim 21, lines 3 – 4, 5 – 6, 10 – 12, 13 – 15 and 16 – 17).

Applicants respectfully submit that distinguishing comments can also be made with respect to the dependent claims.

Consider applicants' dependent claims 6, 7, 8, 17, 18 and 19. For these claims, the Examiner states that the Wen reference describes altering a visual characteristic. However, this does not meet the requirements of applicants' claims 6, 7, 8, 17, 18 and 19 as asserted by the Examiner. For example, applicants' claim 6 requires that the step of performing natural language analysis "includes altering a visual characteristic of at least one of the aspects of the picture in response to the input speech response" (emphasis added). Nowhere, does the Wen reference describe or suggest such a step. Further, even if, for the sake of argument, the Wen reference was modified to include natural language analysis as the Examiner asserts – none of the references, either singly, or in combination, describe or suggest the claimed requirement that the step of performing natural language analysis "includes altering a visual characteristic of at least one of the aspects of the picture in response to the input speech response." Similar distinguishing requirements exist for applicants' claims 7, 8, 17, 18 and 19.

Also, applicants respectfully note that dependent claim 11 requires that "the step of generating a speech prompt include providing an auditory cue for one of a verb and a preposition to the user that is activated by interacting with an icon." Applicants request a citation to a particular part of the Wen reference.

In addition, applicants respectfully note that the Examiner has not substantively addressed the requirements of applicants' claims 22, 23, 24, 25, 26, and 27. As such, applicants respectfully traverse.

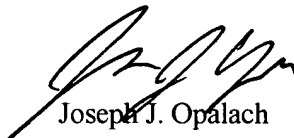
As a result of the above, applicants respectfully submit that independent claims 1, 12, 21 and 28 are patentable over the cited references. Consequently, the rejections of dependent claims 2 – 8, 10, 11, 13 – 20, 22 – 27 and 29 – 33 have also been overcome.

Claim 9 has been rejected under 35 U.S.C. 103(a) as being unpatentable over the Wen reference in view of the Nojima reference and the Takebayashi reference and further in view of U.S. Patent No. 5,487,671 issued January 30, 1996 to Shpiro et al. Applicants respectfully disagree for the reasons cited above with respect to independent claim 1 from which claim 9 depends.

In view of the foregoing, it is respectfully submitted that all remaining claims are now in condition for allowance and reconsideration is requested. If the Examiner believes that prosecution would be expedited by direct discussion, a telephone call to the undersigned would be welcomed.

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Respectfully submitted,



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